

FEDERAL REGISTER

Published by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. L. 500), under regulations prescribed by the Administrative Committee, with the approval of the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the **FEDERAL REGISTER** will be furnished by mail to subscribers, free of postage, for \$1 per month or \$10 per year; single copies 5 cents; payable in advance. Remit by money order payable to Superintendent of Documents, Government Printing Office, Washington, D. C.

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in the public interest will be taken by the Commission to prevent the use of such unlawful practices in or directly affecting interstate commerce.

Rule 1.

It is an unfair trade practice for a member of the industry directly or indirectly to give or offer to give, or permit or cause to be given, money or anything of value to agents, employees or representatives of customers or prospective customers, or to agents, employees or representatives of competitors' customers or prospective customers, without the

knowledge of their employers or principals, as an inducement to influence their employers or principals to purchase or contract to purchase products manufactured or sold by such industry member or the maker of such gift or offer, or to influence such employers or principals to refrain from dealing in the products of competitors, or from dealing or contracting to deal with competitors.

Rule 2.

Wilfully inducing or attempting to induce the breach of existing contract or contracts between competitors and their customers or their suppliers by any false or deceptive means whatsoever, or wilfully interfering with or obstructing the performance of any such contractual duties or services by any such means, with the purpose and effect of unduly hampering, injuring or prejudicing competitors in their businesses, is an unfair trade practice.

Rule 3.

The defamation of competitors by falsely imputing to them dishonorable conduct, inability to perform contracts, or questionable credit standing, or by other false representations, or the false disparagement of the grade, quality, composition, material, construction, durability, or process of manufacture of the products of competitors, or of their business methods, selling prices, values, credit terms, policies or services, or conditions of employment, with the tendency, capacity or effect of misleading or deceiving any purchasers or prospective purchasers of burial vaults, is an unfair trade practice.

Rule 4.

Wilfully enticing away the employees of competitors, with the purpose and effect of unduly hampering, injuring or embarrassing competitors in their businesses, is an unfair trade practice.

Rule 5.

The imitation of the trade-marks, trade names, brands, labels or other marks of identification of competitors, with the tendency, capacity or effect of misleading or deceiving any purchasers or prospective purchasers of burial vaults, is an unfair trade practice.

Rule 6.

The practice of shipping or delivering products which do not conform to representations made prior to or at the time of securing an order, or the substitution of products inferior in quality to the kind ordered, without the consent of the purchaser to such substitution and with the effect of misleading or deceiving any purchasers or prospective purchasers of burial vaults, is an unfair trade practice.

Rule 7.

Securing information from competitors concerning their businesses by false or misleading statements or representations or by false impersonation of one in authority, and the wrongful use thereof to unduly hinder or stifle the competition of such competitors, is an unfair trade practice.

Rule 8.

The false or deceptive marking, branding or labeling of concrete burial vaults for the purpose or with the tendency, capacity or effect of misleading or deceiving purchasers or prospective purchasers concerning the grade, quality, composition, material, construction, durability, or process of manufacture of such vaults, or in any other material respect, or the marking, branding or labeling of such vaults by representations, statements, assertions or claims concerning the capacity, property or ability of such vaults to remain air-tight, water-proof or sweat-proof when such representations, statements, assertions or claims are not true in fact, or are misleading, or are not known to be true, is an unfair trade practice.

Rule 9.

Making, or causing to be made or published, directly or indirectly, any false, untrue or deceptive statement, representation, guarantee, warranty, testimonial or endorsement,

by way of advertising (through newspapers, magazines, booklets or other advertising media) or by radio, oral representation or otherwise, in connection with the sale or distribution of concrete burial vaults and concerning the grade, quality, composition, material, construction, durability or process of manufacture of such vaults, or in any other material respect, or the making of any representations, statements, assertions or claims, directly or indirectly, concerning the capacity, property or ability of such vaults to remain air-tight, waterproof or sweat-proof when such representations, statements, assertions or claims are not true in fact, or are misleading, or are not known to be true, with the tendency, capacity or effect of misleading or deceiving any purchasers or prospective purchasers of burial vaults, is an unfair trade practice.

Rule 10.

Withholding from or inserting in invoices any statements or information by reason of which omission or insertion a false record is made, wholly or in part, of the transactions represented on the face of such invoices, with the purpose or effect of thereby misleading or deceiving any purchasers or prospective purchasers of burial vaults, is an unfair trade practice.

Rule 11.

The practice of selling industry products below the seller's cost, with the intent and with the effect of injuring a competitor and where the effect may be substantially to lessen competition or tend to create a monopoly or unreasonably restrain trade, is an unfair trade practice; all elements recognized by good accounting practice as proper elements of such cost shall be included in determining cost under this rule.

Rule 12.

It is an unfair trade practice for any member of the industry to use the practice of shipping goods on consignment or pretended consignment for the purpose and with the effect of artificially clogging trade outlets and unduly restricting competitors' use of said trade outlets in getting their goods to consumers through regular channels of distribution, or with such purpose to entirely close said trade outlets to such competitors so as to substantially lessen competition or tend to create a monopoly or to unreasonably restrain trade; provided, however, that nothing herein shall be construed or used as restricting or preventing consignment shipping or marketing of commodities in good faith and without artificial interference with competitors' use of the usual channels of distribution in such manner as thereby to suppress competition or restrain trade.

Rule 13.

(a) *Prohibited Discriminatory Differentials, Rebates, Refunds, Discounts, Credits and Other Allowances.*—It is an unfair trade practice for any member of the industry engaged in commerce,¹ in the course of such commerce, to grant or allow, secretly or openly, directly or indirectly, any price differentials, rebates, refunds, discounts, credits or other allowances which effectuate a discrimination in price between different purchasers of goods of like grade and quality where either or any of the purchases involved therein are in commerce¹ and where the effect thereof may be substantially to lessen competition or tend to create a monopoly in any line of commerce¹ or to injure, destroy or prevent competition with any person who either grants or knowingly receives the benefit of such discrimination or with customers of either of them: *Provided, however*—

¹ As herein used, the word "commerce" means trade or commerce among the several states and with foreign nations, or between the District of Columbia or any Territory of the United States and any State, Territory, or foreign nation, or between any insular possessions or other places under the jurisdiction of the United States, or between any such possession or place and any State or Territory of the United States or the District of Columbia or any foreign nation, or within the District of Columbia or any Territory or any insular possession or other place under the jurisdiction of the United States; *Provided*, That this shall not apply to the Philippine Islands.

(1) That the goods involved in any such transaction are sold for use, consumption or resale within any place under the jurisdiction of the United States;

(2) That nothing herein contained shall prevent differentials which make only due allowance for differences in the cost of manufacture, sale or delivery resulting from the differing methods or quantities in which such commodities are to such purchasers sold or delivered;

(3) That nothing herein contained shall prevent persons engaged in selling goods, wares or merchandise in commerce¹ from selecting their own customers in bona fide transactions and not in restraint of trade;

(4) That nothing herein contained shall prevent price changes from time to time where made in response to changing conditions affecting either (a) the market for the goods concerned, or (b) the marketability of the goods, such as, but not limited to, actual or imminent deterioration of perishable goods, obsolescence of seasonal goods, distress sales under court process, or sales in good faith in discontinuance of business in the goods concerned.

(b) *Prohibited Brokerages and Commissions.*—It is an unfair trade practice for any member of the industry engaged in commerce¹, in the course of such commerce, to pay or grant, or to receive or accept, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, except for services rendered in connection with the sale or purchase of goods, wares, or merchandise, either to the other party to such transaction or to an agent, representative, or other intermediary therein where such intermediary is acting in fact for or in behalf, or is subject to the direct or indirect control, of any party to such transaction other than the person by whom such compensation is so granted or paid.

(c) *Prohibited Advertising or Promotional Allowances, Etc.*—It is an unfair trade practice for any member of the industry engaged in commerce¹ to pay or contract for the payment of advertising or promotion allowances or any other thing of value to or for the benefit of a customer of such member in the course of such commerce as compensation or in consideration for any services or facilities furnished by or through such customer in connection with the processing, handling, sale, or offering for sale of any products or commodities manufactured, sold, or offered for sale by such member, unless such payment or consideration is available on proportionally equal terms to all other customers competing in the distribution of such products or commodities.

(d) *Prohibited Discriminatory Services or Facilities.*—It is an unfair trade practice for any member of the industry engaged in commerce¹ to discriminate in favor of one purchaser against another purchaser or purchasers of a commodity bought for resale, with or without processing, by contracting to furnish or by furnishing, or by contributing to the furnishing of, any services or facilities connected with the processing, handling, sale, or offering for sale of such commodity so purchased upon terms not accorded to all purchasers on proportionally equal terms.

(e) *Illegal Price Discrimination.*—It is an unfair trade practice for any member of the industry or other person engaged in commerce¹ in the course of such commerce to discriminate in price in any other respect contrary to Section 2 of the Clayton Act as amended by the Act of Congress, approved June 19, 1936 (Public No. 692, 74th Congress), or knowingly to induce or receive a discrimination in price which is prohibited by such section as amended.

Group II

The trade practices embraced in Group II rules do not, *per se*, constitute violations of law. They are considered by the industry either to be unethical, uneconomic, or otherwise objectionable; or to be conducive to sound business methods which the industry desires to encourage and promote. Such rules, when they conform to the above specifications and are not violative of law, will be received by

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the Commission, but the observance of said rules must depend upon and be accomplished through the cooperation of the members of the industry concerned, exercised in accordance with existing law. Where, however, such practices are used in such manner as to become unfair methods of competition in commerce or a violation of any law over which the Commission has jurisdiction, appropriate proceedings will be instituted by the Commission as in the case of violation of Group I rules.

Rule A.

The industry approves the practice of each individual member of the industry independently publishing and circulating to the purchasing trade his own price lists fully setting forth his terms of sale.

Rule B.

It is the judgment of the industry that each member should independently keep proper and accurate records for determining his costs.

Rule C.

The industry approves the practice of handling business disputes between members of the industry and their customers in a fair and reasonable manner, coupled with a spirit of moderation and good will, and every effort should be made by the disputants themselves to compose their differences. If unable to do so, they should, if possible, submit these disputes to arbitration.

A Committee on Trade Practices is hereby created by the industry to cooperate with the Federal Trade Commission and to perform such acts as may be legal and proper to put these rules into effect.

By direction of the Commission.

[SEAL]

OTIS B. JOHNSON, Secretary.

[F. R. Doc. 37-2106; Filed, July 9, 1937; 11:45 a. m.]

RAILROAD RETIREMENT BOARD.

RULES GOVERNING DIRECT ASSIGNMENT OF ACCOUNT NUMBERS
BY EMPLOYERS

JUNE 17, 1937.

To All Employers Subject to the Railroad Retirement Act:

The Railroad Retirement Board will take over the assignment of account numbers to employees covered by the Railroad Retirement Act, as of July 1, 1937, at which time the cooperative arrangement now in effect with the Post Office Department will be discontinued. In order that there may be no delay in the assignment of these account numbers, the Board requests that employers cooperate with it, as hereinafter explained, by securing supplies of pre-numbered office record forms and making direct assignments of account numbers.

The account numbers will continue to be called "Social Security Account Numbers." Form CER-1 ("Social Security-Carrier Employee Registration Application for Account Number") will continue to be used. Cards containing name and number will be furnished each employee.

It is essential that all persons who perform compensated service for an employer be assigned an account number. In the case of employees engaged in the future by employers in whose service they have not previously been engaged, situations will arise which will require filing a form with the Board.

1. Persons who have not, since January 1, 1937 had an employment requiring an account number should fill in a Form CER-1 and the employer will, as described below, make an account number assignment.

2. Persons having a number in other than the series seven hundred (700) to seven hundred thirty-nine (739) will continue to use such numbers, but they should complete form CER-1, if they have not already done so, and turn it over to the employer for filing with the Board.

Persons holding account numbers of which the first three digits are in the series seven hundred (700) to seven hundred thirty-nine (739), and persons holding account numbers in any series who have performed service for an "Employer" after June 30, 1937, will already have been registered on Form CER-1, and there is no necessity, so far as the Railroad Retirement Board is concerned, to secure their re-registration. But if a person with an account number in this series works for an employer after June 30, 1937 and subsequently works for another employer under the Retirement Act, such subsequent employer may wish to maintain a complete file of Forms CER-1; in such case, however, no such form need be sent to the Board.

The procedure to accomplish these purposes in the most expeditious manner and for the mutual benefit of all concerned, is prescribed hereunder.

I. "Employers" will requisition on the attached form the estimated number of Forms CER-1, "Social Security-Carrier Employee Registration Application for Account Number," needed for the period July 1, 1937, to December 31, 1937. Thereafter "Employers" will requisition additional supplies of such forms sixty days in advance of need to cover requirements for the ensuing six months.

II. "Employers" who expect to have a substantial number of new employees should request the Bureau of Accounts, Railroad Retirement Board, to furnish a supply of pre-numbered forms OA-702, "Office Record Card," which includes the employee account number cards.

III. "Employers" will secure a properly executed form CER-1 from each new employee who has not previously received an account number the first three digits of which are within the series seven hundred (700) to seven hundred thirty-nine (739), unless such employee has previously completed such form. After entering the previously assigned account number on the original and duplicate of such form, the original should be promptly forwarded to the Bureau of Accounts, Railroad Retirement Board, Washington, D. C.

IV. "Employers" who are supplied with forms OA-702 will transcribe the information on form CER-1 to the form OA-702, in the case of each employee who has not previously received an account number, and will deliver the original account number card to the employee, and forward the original of form OA-702 and of form CER-1 to the Bureau of Accounts, Railroad Retirement Board, Washington, D. C., and the copy of form OA-702 to the proper state unemployment insurance agency, if any.

V. "Employers" who do not have a supply of forms OA-702 will forward to the Bureau of Accounts, Railroad Retirement Board, forms CER-1, covering employees who have not previously received an account number. The Board will thereupon prepare form OA-702 and forward the account number card to the "Employer" for recording the number, and delivery to the employee.

EXAMPLES

A. Condition.—An employee who holds an account number in the series seven hundred (700) to seven hundred thirty-nine (739), enters service of an "Employer" subsequent to June 30, 1937.

Action.—The "Employer" takes no action other than to show that number in reports of the employee's subsequent earnings.

B. Condition.—An employee who holds an account number in other than the series seven hundred (700) to seven hundred thirty-nine (739), and who has been in service of an "Employer" under the Railroad Retirement Act after June 30, 1937, enters the service of another "Employer."

Action.—The latter employer, after being assured that the employee has previously completed a form CER-1, takes no action other than to show that number in the reports of the employee's subsequent earnings.

C. Condition.—An employee who holds an account number in other than the series seven hundred (700) to seven hundred thirty-nine (739), and who has not been in service of

an "Employer" covered by the Railroad Retirement Act, enters the service of an "Employer" after June 30, 1937.

Action.—The "Employer" will secure form CER-1, show the account number thereon and forward it to the Bureau of Accounts, Railroad Retirement Board, and show such number in the reports of the employee's subsequent earnings.

D. Condition.—An employee who holds no account number enters the service of an "Employer" not having forms OA-702 available, subsequent to June 30, 1937.

Action.—The "Employer" will secure form CER-1 and forward it to the Bureau of Accounts, Railroad Retirement Board. The employee account number card will be prepared by the Board and sent to the "Employer" who will record the number and deliver such account number card to the employee.

E. Condition.—An employee who holds no account number enters, subsequent to June 30, 1937, the service of a carrier having forms OA-702 available.

Action.—The "Employer" will secure form CER-1 and will prepare form OA-702 in duplicate. The original account number card will be detached and delivered to the employee. The original forms OA-702 and CER-1 will be forwarded to the Railroad Retirement Board, and the duplicate form OA-702, with the duplicate account number card attached, will be forwarded to the proper state unemployment insurance agency, if any. If the employee's employment is not covered by unemployment insurance legislation, both copies of form OA-702 will be forwarded to the Railroad Retirement Board.

[SEAL]

MURRAY W. LATIMER, Chairman.

[Railroad Retirement Board—Form BA-1]
REQUISITION FOR FORMS CER-1

Date _____

Bureau of Accounts, Railroad Retirement Board, Washington, D. C.

GENTLEMEN: Please forward _____

(insert quantity)

Forms CER-1, "Social Security-Carrier Employee Registration Application for Account Number," for use in connection with the assignment of account numbers to employees entering service subsequent to June 30, 1937, to:

(Name)	(Title)	
(Carrier name)	(City)	(State)
(Signature)		
(Title)		

Do Not Write Below This Line

Bureau Requisition No. F _____
Number Approved _____

Date Forwarded _____

By _____

(For Director—Bureau of Accounts)

[F. R. Doc. 37-2105; Filed, July 9, 1937; 10:43 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

United States of America—Before the Securities
and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 9th day of July, A. D. 1937.

[File No. 46-63]

IN THE MATTER OF THE MIDDLE WEST CORPORATION

NOTICE OF AND ORDER FOR HEARING

An application having been duly filed with this Commission, by The Middle West Corporation, a registered holding

company, pursuant to Section 10 of the Public Utility Holding Company Act of 1935, for approval of its acquisition of 41,030.5 shares of capital stock and \$54,600 principal amount of First Mortgage 5% Bonds, due August 1, 1960, of Missouri Public Service Corporation in accordance with the terms of the reorganization plan of its predecessor company, and for approval of its acquisition of \$33,000 principal amount of First Mortgage Twenty-Year 5% bonds, Series A, due April 1, 1947, of Michigan Public Service Company, all of such acquisitions being made pursuant to a settlement agreement, as modified and approved by the court, entered into by the applicant with Leonard S. Florsheim, as trustee in reorganization proceedings against Inland Power & Light Corporation, and Walter Bachrach, as trustee in reorganization proceedings against Commonwealth Light & Power Company;

It is ordered that a hearing on such matter be held on July 26, 1937, at two o'clock in the afternoon of that day at Room 1101, Securities and Exchange Building, 1778 Pennsylvania Avenue NW, Washington, D. C.; and

Notice of such hearing is hereby given to said party and to any interested State, State commission, State securities commission, municipality, and any other political subdivision of a State, and to any representative of interested consumers or security holders, and any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before July 21, 1937.

It is further ordered that Robert P. Reeder, an officer of the Commission, be and he hereby is designated to preside at such hearing, and authorized to adjourn said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, contracts, agreements, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

Upon the completion of the taking of testimony in this matter, the officer conducting said hearing is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 37-2111; Filed, July 9, 1937; 12:30 p. m.]

United States of America—Before the Securities
and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 9th day of July, A. D. 1937.

[File No. 32-68]

IN THE MATTER OF THE ST. LOUIS COUNTY GAS COMPANY
[Application Pursuant to Section 6 (b) of the Public Utility
Holding Company Act of 1935]

NOTICE OF AND ORDER FOR HEARING

An application having been duly filed with this Commission, by The St. Louis County Gas Company, a subsidiary company of The North American Company, a registered holding company, pursuant to Section 6 (b) of the Public Utility Holding Company Act of 1935, for exemption from the provisions of Section 6 (a) of said Act of the issue and sale by applicant to said The North American Company of 5,000 shares of its capital stock of the par value of \$100 per share, for the sum of \$500,000, it being stated by applicant that said issue and sale are solely for the purpose of financing its business and will be expressly authorized by the Public Service Commission of the State of Missouri, the State commission of the State in which applicant is organized and does business;

It is ordered that a hearing on such matter be held on July 26, 1937, at ten o'clock in the forenoon of that day at

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Room 1101 Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C.; and

Notice of such hearing is hereby given to said party and to any interested State, State commission, State securities commission, municipality, and any other political subdivision of a State, and to any representative of interested consumers or security holders, and any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before July 21, 1937.

It is further ordered that Charles S. Moore, an officer of the Commission, be and he hereby is designated to preside at such hearing, and authorized to adjourn said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, contracts, agreements, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

Upon the completion of the taking of testimony in this matter, the officer conducting said hearing is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 37-2112; Filed, July 9, 1937; 12:30 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 9th day of July, A. D. 1937.

[File No. 32-57]

IN THE MATTER OF DRESSER POWER CORPORATION

[Public Utility Holding Company Act of 1935—Section 6 (b)]

SUPPLEMENTAL AND AMENDED NOTICE OF AND ORDER FOR HEARING

An application having been duly filed with this Commission, by Dresser Power Corporation, an indirect subsidiary of the Trustees of Midland United Company, a registered holding company, pursuant to Section 6 (b) of the Public Utility Holding Company Act of 1935, for exemption from the provisions of Section 6 (a) of the issue and sale by applicant of 17,000 shares of \$100 par value common stock and \$5,000,000 principal amount of bonds maturing within twelve years from the date thereof; an order having been duly entered providing for a hearing in such matter; such hearing having been continued indefinitely at applicant's request; it being appropriate that this matter be set down for hearing on July 19, 1937 when a related matter is to be heard; and, it appearing that the officer of the Commission heretofore designated to preside at the hearing in the above entitled matter will be unable to do so:

It is ordered that a hearing on such matter be held on July 19, 1937, at 10 o'clock in the forenoon of that day at Room 209, Securities and Exchange Building, 1778 Pennsylvania Avenue N. W., Washington, D. C.; and

Notice of such hearing is hereby given to said party and to any interested State, State commission, State securities commission, municipality, and any other political subdivision of a State, and to any representative of interested consumers or security holders, and any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before July 16, 1937.

¹ 2 F. R. 962 (D.I.).

It is further ordered that Charles S. Moore, an officer of the Commission, be and he hereby is designated to preside at such hearing, and authorized to adjourn said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, contracts, agreements, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

Upon the completion of the taking of testimony in this matter, the officer conducting said hearing is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 37-2114; Filed, July 9, 1937; 12:31 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 9th day of July, A. D. 1937.

[File No. 46-45]

IN THE MATTER OF PUBLIC SERVICE COMPANY OF INDIANA

[Public Utility Holding Company Act of 1935 Section 10]

SUPPLEMENTAL AND AMENDED NOTICE OF AND ORDER FOR HEARING

An application having been duly filed with this Commission, by Public Service Company of Indiana, a subsidiary of the Trustees of Midland United Company, a registered holding company, pursuant to Section 10 of the Public Utility Holding Company Act of 1935, for approval of the acquisition by it of 17,000 shares of \$100 par value common stock of Dresser Power Corporation; an order having been duly entered providing for a hearing in such matter; such hearing having been continued indefinitely at applicant's request; it being appropriate that this matter be set down for hearing on July 19, 1937 when a related matter is to be heard; and, it appearing that the officer of the Commission heretofore designated to preside at the hearing in the above entitled matter will be unable to do so:

It is ordered that a hearing on such matter be held on July 19, 1937, at 10 o'clock in the forenoon of that day at Room 209, Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C.; and

Notice of such hearing is hereby given to said party and to any interested State, State commission, State securities commission, municipality, and any other political subdivision of a State, and to any representative of interested consumers or security holders, and any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before July 16, 1937.

It is further ordered that Charles S. Moore, an officer of the Commission, be and he hereby is designated to preside at such hearing, and authorized to adjourn said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, contracts, agreements, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

Upon the completion of the taking of testimony in this matter, the officer conducting said hearing is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 37-2113; Filed, July 9, 1937; 12:31 p. m.]

United States of America—Before Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 6th day of July, A. D., 1937.

IN THE MATTER OF RAINBOW LUMINOUS PRODUCTS, INC., CLASS A COMMON, NO PAR VALUE; CLASS B COMMON, NO PAR VALUE**ORDER CHANGING TIME OF HEARING UNDER SECTION 19 (A) (2) OF THE SECURITIES EXCHANGE ACT OF 1934 AS AMENDED AND DESIGNATING OFFICER TO TAKE EVIDENCE**

The Commission having heretofore, on June 26, 1937, ordered¹ that a hearing under Section 19 (a) (2) of the Securities Exchange Act of 1934 be held on July 7, 1937, to determine whether to suspend for a period not exceeding 12 months or to withdraw the registration of the Class A Common no par stock and the Class B Common no par stock of the Rainbow Luminous Products, Inc. on the New York Curb Exchange; and Rainbow Luminous Products, Inc. having, on July 3, 1937, filed certain amendments to its application for registration on Form 10 and to its annual report on Form 10K for the fiscal year ended December 31, 1935, and having on June 29, 1937, filed its annual report on Form 10K for the fiscal year ended December 31, 1936, and having on July 3, 1937 filed a certain amendment thereto;

It is ordered that such hearing be postponed to Wednesday, July 21, 1937, at 10:00 A. M., in Room 1103, Securities and Exchange Commission Building, 1778 Pennsylvania Avenue, N. W., Washington, D. C. and continue thereafter at such time and place as the officer hereinafter designated may determine; and

It is further ordered that for the purposes of such proceeding, Charles S. Moore, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take testimony and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry and to perform all other duties in connection therewith authorized by law.

By direction of the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 37-2117; Filed, July 9, 1937; 12:32 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C. on the 7th day of July, 1937.

[File No. 1-2064]

IN THE MATTER OF NORTH AMERICAN SECURITIES COMPANY, CLASS "A" SHARES, NO PAR VALUE**ORDER GRANTING APPLICATION TO STRIKE FROM LISTING AND REGISTRATION**

The Cleveland Stock Exchange, pursuant to Section 12 (d) of the Securities Exchange Act of 1934, as amended, and Rule JD2 promulgated thereunder, having made application to the Commission to strike from listing and registration 50,000 Class "A" Shares, No Par Value, of North American Securities Company; and

After appropriate notice,² a hearing having been held in this matter; and

The Commission having considered said application, together with the evidence introduced at said hearing, having made and filed its findings of fact herein, and having due regard for the public interest and the protection of investors;

It is ordered, that said application be and the same is hereby granted, effective at the close of the trading session on July 7, 1937.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 37-2116; Filed, July 9, 1937; 12:32 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 8th day of July, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF PRODUCING LAND-OWNERS' ROYALTY INTERESTS IN THE STANOLIND-AMERADA-TRANSWESTERN-SUENRAM TRACT, FILED ON JUNE 19, 1937, BY SUPREME OIL INC., RESPONDENT**ORDER TERMINATING PROCEEDING AFTER AMENDMENT**

The Securities and Exchange Commission, finding that the offering sheet described in the title hereof has been amended to cure the objections specified in the Temporary Suspension Order previously entered¹ in this proceeding;

It is ordered, pursuant to Rule 354 (c) of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on June 30, 1937, be effective as of June 30, 1937.

It is further ordered that the Temporary Suspension Order heretofore entered in this proceeding be, and hereby is, revoked, and said proceeding is terminated as of the effective date of said amendment.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 37-2118; Filed, July 9, 1937; 12:32 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 2nd day of July, 1937.

[File No. 2-2837]

IN THE MATTER OF BERING STRAITS TIN MINES, INC.**STOP ORDER**

This matter coming on to be heard by the Commission on the registration statement of registrant Bering Straits Tin Mines, Inc., of Seattle, Washington, after confirmed telegraphic notice by the Commission to said registrant that it appears that said registration statement includes untrue statements of material facts and omits to state material facts required to be stated therein and material facts necessary to make the statements therein not misleading, and upon evidence received upon the allegations made in the notice of hearing duly served by the Commission on said registrant, and the Commission having duly considered the matter, and finding that said registration statement includes untrue statements of material facts and omits to state material facts required to be stated therein and material facts necessary to make the statements therein not misleading, all as more fully set forth in the Commission's Findings of Fact and Opinion this day issued, and the Commission being now fully advised in the premises,

It is ordered, pursuant to Section 8 (d) of the Securities Act of 1933, as amended, that the effectiveness of the regis-

¹ 2 F. R. 1330 (DI).

² 2 F. R. 778 (DI).

¹ 2 F. R. 1318 (DI).

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tration statement filed by Bering Straits Tin Mines, Inc., of Seattle, Washington, be and the same hereby is suspended.

By direction of the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 37-2115; Filed, July 9, 1937; 12:31 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 8th day of July, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF PRODUCING LAND-OWNERS' ROYALTY INTERESTS IN THE SHELL-GUTHRIE TRACT, FILED ON JULY 1, 1937, BY PHILo W. GRIMES, RESPONDENT

TEMPORARY SUSPENSION ORDER (UNDER RULE 340 (A)) AND NOTICE OF OPPORTUNITY FOR HEARING

The Securities and Exchange Commission, having reasonable grounds to believe and, therefore, alleging that the offering sheet described in the title hereof and filed by the respondent named herein is incomplete or inaccurate in material respects, or includes untrue statements of material facts, or omits to state material facts necessary to make the statements therein contained not misleading, or fails to comply with the requirements of Regulation B of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, in the respect, or respects, hereinafter enumerated, to wit:

(1) In that no statement is made in Division II, Item 2 (e), as to whether or not the interest offered is perpetual;

(2) In that in Division II, Item 10, the names of the persons by whom the taxes are assessed is omitted, as is also the times of payments of said taxes;

(3) In that in Division II, Item 20 (e), the actual net monthly pay-off for the smallest interest offered is required to be given, whereas from the amounts set forth, it appears that the pro rata portion of the taxes to which such interest is subject has not been deducted;

(4) In that the proposed instrument of conveyance, attached to the offering sheet as Exhibit B, is incomplete;

It is ordered, pursuant to Rule 340 (a) of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, temporarily suspended pending a final hearing thereon for the purpose of determining whether said offering sheet is incomplete or inaccurate in any material respect, or includes an untrue statement of a material fact, or omits to state any material fact necessary to make the statements therein contained not misleading, or fails to comply with any requirements of Regulation B of such Rules and Regulations in the respect, or respects, hereinbefore enumerated; and

It is further ordered that respondent be, and hereby is, given notice that respondent is entitled to a hearing before the Commission, or an officer or officers of, and designated by, the Commission, for the purpose of determining such matters; that upon receipt of a written request from respondent, the Commission will, for the purpose of determining such matters, set the matter for hearing at a place to be designated by the Commission, within twenty days after receipt of such request; and that notice of the time and place of such hearing will thereupon be promptly given by the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 37-2108; Filed, July 9, 1937; 12:29 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 8th day of July, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF NON-PRODUCING LANDOWNERS' ROYALTY INTERESTS IN THE POWDER RIVER BASIN-CHANey TRACT, FILED ON JULY 1, 1937, BY POWDER RIVER BASIN ROYALTY CO., RESPONDENT

TEMPORARY SUSPENSION ORDER (UNDER RULE 340 (A)) AND NOTICE OF OPPORTUNITY FOR HEARING

The Securities and Exchange Commission, having reasonable grounds to believe and, therefore, alleging that the offering sheet described in the title hereof and filed by the respondent named herein is incomplete or inaccurate in material respects, or includes untrue statements of material facts, or omits to state material facts necessary to make the statements therein contained not misleading, or fails to comply with the requirements of Regulation B of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, in the respect, or respects, hereinafter enumerated, to wit:

(1) In that the offering sheet, as filed, is not in the form prescribed by Rule 330 of the General Rules and Regulations of the Commission, which Rule became effective June 1, 1937;

It is ordered, pursuant to Rule 340 (a) of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, temporarily suspended pending a final hearing thereon for the purpose of determining whether said offering sheet is incomplete or inaccurate in any material respect, or includes an untrue statement of a material fact, or omits to state any material fact necessary to make the statements therein contained not misleading, or fails to comply with any requirements of Regulation B of such Rules and Regulations in the respect, or respects, hereinbefore enumerated; and

It is further ordered that respondent be, and hereby is, given notice that respondent is entitled to a hearing before the Commission, or an officer or officers of, and designated by, the Commission, for the purpose of determining such matters; that upon receipt of a written request from respondent, the Commission will, for the purpose of determining such matters, set the matter for hearing at a place to be designated by the Commission, within twenty days after receipt of such request; and that notice of the time and place of such hearing will thereupon be promptly given by the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 37-2110; Filed, July 9, 1937; 12:30 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 8th day of July, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF PRODUCING LAND-OWNERS' ROYALTY INTERESTS IN THE BRITISH-AMERICAN-ROANOKE-POWELL-HIGHLAND-RUSSELL TRACT, FILED ON JULY 1, 1937, BY JAMES W. TAIT CO., INC., RESPONDENT

TEMPORARY SUSPENSION ORDER (UNDER RULE 340 (A)) AND NOTICE OF OPPORTUNITY FOR HEARING

The Securities and Exchange Commission, having reasonable grounds to believe and, therefore, alleging that the offering sheet described in the title hereof and filed by the respondent named herein is incomplete or inaccurate in material respects, or includes untrue statements of material facts, or omits to state material facts necessary to make the statements therein contained not misleading, or fails to comply with the requirements of Regulation B of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, in the respect, or respects, hereinafter enumerated, to wit:

(1) In that the information relative to the number of wells now drilling, which is required to be given in Division II, Item 13, is omitted;

(2) In that the legal description contained in the proposed instrument of conveyance attached to the offering sheet as Exhibit B is not believed to be sufficient, nor is it possible to determine from the information contained in Exhibit B that said proposed instrument of conveyance will convey a like interest as is set forth in Division II, Item 1, of the offering sheet;

It is ordered, pursuant to Rule 340 (a) of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, temporarily suspended pending a final hearing thereon for the purpose of determining whether said offering sheet is incomplete or inaccurate in any material respect, or includes an untrue statement of a material fact, or omits to state any material fact necessary to make the statements therein contained not misleading, or fails to comply with any requirements of Regulation B of such Rules and Regulations in the respect, or respects, hereinbefore enumerated; and

It is further ordered that respondent be, and hereby is, given notice that respondent is entitled to a hearing before the Commission, or an officer or officers of, and designated by, the Commission, for the purpose of determining such matters; that upon receipt of a written request from respondent, the Commission will, for the purpose of determining such matters, set the matter for hearing at a place to be designated by the Commission, within twenty days after receipt of such request; and that notice of the time and place of such hearing will thereupon be promptly given by the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 37-2109; Filed, July 9, 1937; 12:29 p. m.]

FEDERAL REGISTER ACT

[PUBLIC—No. 220—74TH CONGRESS; 49 STAT. 500-503]

AN ACT To provide for the custody of Federal proclamations, orders, regulations, notices, and other documents, and for the prompt and uniform printing and distribution thereof.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Archivist of the United States, acting through a division established by him in the National Archives Establishment, hereinafter referred to as the "Division", is charged with the custody and, together with the Public Printer, with the prompt and uniform printing and distribution of the documents required or authorized to be published under section 5. There shall be at the head of the Division a director, appointed by the President, who shall act under the general direction of the Archivist of the United States in carrying out the provisions of this Act and the regulations prescribed hereunder, who shall receive a salary, to be fixed by the President, not to exceed \$5,000 a year.

SEC. 2. The original and two duplicate originals or certified copies of any document required or authorized to be published under section 5 shall be filed with the Division, which shall be open for that purpose during all hours of the working days when the Archives Building shall be open for official business. The Director of the Division shall cause to be noted on the original and duplicate originals or certified copies of each document the day and hour of filing thereof: *Provided*, That when the original is issued, prescribed, or promulgated outside of the District of Columbia and certified copies are filed before the filing of the original, the notation shall be of the day and hour of filing of the certified copies. Upon such filing, at least one copy shall be immediately available for public inspection in the office of the Director of the Division. The original shall be retained in the archives of the National Archives Establishment and shall be available for inspection under regulations

to be prescribed by the Archivist. The Division shall transmit immediately to the Government Printing Office for printing, as provided in this Act, one duplicate original or certified copy of each document required or authorized to be published under section 5. Every Federal agency shall cause to be transmitted for filing as herein required the original and the duplicate originals or certified copies of all such documents issued, prescribed, or promulgated by the agency.

SEC. 3. All documents required or authorized to be published under section 5 shall be printed and distributed forthwith by the Government Printing Office in a serial publication designated the "Federal Register." It shall be the duty of the Public Printer to make available the facilities of the Government Printing Office for the prompt printing and distribution of the Federal Register in the manner and at the times required in accordance with the provisions of this Act and the regulations prescribed hereunder. The contents of the daily issues shall be indexed and shall comprise all documents, required or authorized to be published, filed with the Division up to such time of the day immediately preceding the day of distribution as shall be fixed by regulations hereunder. There shall be printed with each document a copy of the notation, required to be made under section 2, of the day and hour when, upon filing with the Division, such document was made available for public inspection. Distribution shall be made by delivery or by deposit at a post office at such time in the morning of the day of distribution as shall be fixed by such regulations prescribed hereunder. The prices to be charged for the Federal Register may be fixed by the administrative committee established by section 6 without reference to the restrictions placed upon and fixed for the sale of Government publications by section 1 of the Act of May 11, 1922, and section 307 of the Act of June 30, 1932 (U. S. C., title 44, secs. 72 and 72a), and any amendments thereto.

SEC. 4. As used in this Act, unless the context otherwise requires, the term "document" means any Presidential proclamation or Executive order and any order, regulation, rule, certificate, code of fair competition, license, notice, or similar instrument issued, prescribed, or promulgated by a Federal agency; the terms "Federal agency" or "agency" mean the President of the United States, or any executive department, independent board, establishment, bureau, agency, institution, commission, or separate office of the administrative branch of the Government of the United States but not the legislative or judicial branches of the Government; and the term "person" means any individual, partnership, association, or corporation.

SEC. 5. (a) There shall be published in the Federal Register (1) all Presidential proclamations and Executive orders, except such as have no general applicability and legal effect or are effective only against Federal agencies or persons in their capacity as officers, agents, or employees thereof; (2) such documents or classes of documents as the President shall determine from time to time have general applicability and legal effect; and (3) such documents or classes of documents as may be required so to be published by Act of the Congress: *Provided* That for the purposes of this Act every document or order which shall prescribe a penalty shall be deemed to have general applicability and legal effect.

(b) In addition to the foregoing there shall also be published in the Federal Register such other documents or classes of documents as may be authorized to be published pursuant hereto by regulations prescribed hereunder with the approval of the President, but in no case shall comments or news items of any character whatsoever be authorized to be published in the Federal Register.

SEC. 6. There is established a permanent Administrative Committee of three members consisting of the Archivist or Acting Archivist, who shall be chairman, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer. The Director of the Division shall act as secretary of the committee. The committee shall prescribe, with the approval of the

President, regulations for carrying out the provisions of this Act. Such regulations shall provide, among other things: (a) The manner of certification of copies required to be certified under section 2, which certification may be permitted to be based upon confirmed communications from outside of the District of Columbia; (b) the documents which shall be authorized pursuant to section 5 (b) to be published in the Federal Register; (c) the manner and form in which the Federal Register shall be printed, reprinted, compiled, indexed, bound, and distributed; (d) the number of copies of the Federal Register which shall be printed, reprinted, and compiled, the number which shall be distributed without charge to Members of Congress, officers and employees of the United States, or any Federal agency for their official use, and the number which shall be available for distribution to the public; and (e) the prices to be charged for individual copies of, and subscriptions to, the Federal Register and reprints and bound volumes thereof.

SEC. 7. No document required under section 5 (a) to be published in the Federal Register shall be valid as against any person who has not had actual knowledge thereof until the duplicate originals or certified copies of the document shall have been filed with the Division and a copy made available for public inspection as provided in section 2; and, unless otherwise specifically provided by statute, such filing of any document, required or authorized to be published under section 5, shall, except in cases where notice by publication is insufficient in law, be sufficient to give notice of the contents of such document to any person subject thereto or affected thereby. The publication in the Federal Register of any document shall create a rebuttable presumption (a) that it was duly issued, prescribed, or promulgated; (b) that it was duly filed with the Division and made available for public inspection at the day and hour stated in the printed notation; (c) that the copy contained in the Federal Register is a true copy of the original; and, (d) that all requirements of this Act and the regulations prescribed hereunder relative to such document have been complied with. The contents of the Federal Register shall be judicially noticed and, without prejudice to any other mode of citation, may be cited by volume and page number.

SEC. 8. Whenever notice of hearing or of opportunity to be heard is required or authorized to be given by or under an Act of the Congress, or may otherwise properly be given, the notice shall be deemed to have been duly given to all persons residing within the continental United States (not including Alaska), except in cases where notice by publication is insufficient in law, if said notice shall be published in the Federal Register at such time that the period between the publication and the date fixed in such notice for the hearing or for the termination of the opportunity to be heard shall be (a) not less than the time specifically prescribed for the publication of the notice by the appropriate Act of Congress; or (b) not less than fifteen days when no time for publication is specifically prescribed by the Act, without prejudice, however, to the effectiveness of any notice of less than fifteen days where such shorter period is reasonable.

SEC. 9. Every payment made for the Federal Register shall be covered into the Treasury as a miscellaneous receipt.

The cost of printing, reprinting, wrapping, binding, and distributing the Federal Register and any other expenses incurred by the Government Printing Office in carrying out the duties placed upon it by this Act shall be borne by the appropriations to the Government Printing Office and such appropriations are hereby made available, and are authorized to be increased by such additional sums as are necessary for such purposes, such increases to be based upon estimates submitted by the Public Printer. The purposes for which appropriations are available and are authorized to be made under section 10 of the Act entitled "An Act to establish a National Archives of the United States Government, and for other purposes" (48 Stat. 1122) are enlarged to cover the additional duties placed upon the National Archives Establishment by the provisions of this Act. Copies of the Federal Register mailed by the Government shall be entitled to the free use of the United States mails in the same manner as the official mail of the executive departments of the Government. The cost of mailing the Federal Register to officers and employees of Federal agencies in foreign countries shall be borne by the respective agencies.

SEC. 10. The provisions of section 2 shall become effective sixty days after the date of approval of this Act and the publication of the Federal Register shall begin within three business days thereafter: *Provided*, That the appropriations involved have been increased as required by section 9 of this Act. The limitations upon the effectiveness of documents required, under section 5 (a), to be published in the Federal Register shall not be operative as to any document issued, prescribed, or promulgated prior to the date when such document is first required by this or subsequent Act of the Congress or by Executive order to be published in the Federal Register.

SEC. 11. Within six months after the approval of this Act each agency shall prepare and file with the committee a complete compilation of all documents which have been issued or promulgated prior to the date documents are required or authorized by this Act to be published in the Federal Register and which are still in force and effect and relied upon by the agency as authority for, or invoked or used by it in the discharge of, any of its functions or activities. The committee shall within sixty days thereafter report with respect thereto to the President, who shall determine which of such documents have general applicability and legal effect, and shall authorize the publication thereof in a special or supplemental edition or issue of the Federal Register. Such special or supplemental editions or issues shall be distributed in the same manner as regular editions or issues, and shall be included in the bound volumes of the Federal Register as supplements thereto.

SEC. 12. Nothing in this Act shall be construed to apply to treaties, conventions, protocols, and other international agreements, or proclamations thereof by the President.

SEC. 13. All Acts or parts of Acts in conflict with this Act are hereby repealed insofar as they conflict herewith.

SEC. 14. This Act may be cited as the "Federal Register Act."

Approved, July 26, 1935.